IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 16174 of 2004

Between:

1 Bellam Konda Ranga Chary, S/o Krishnama Chary,
Sri Laxmi Narasimha Swamy Temple, Nacharamgutta,Medak District.
2 Bellam Konda Narasimha Chary, S/o Krishnama Chary,
Sri Laxmi Narasimha Swamy Temple, Nacharamgutta,Medak District.

..... PETITIONERS

AND

Commissioner , Endowments Department, Boggulakunta, Tilak Road, Abids, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in issuing the transfer orders transferring the petitioners vide Rc.No. H3/35144/04, dt. 7-8-2004 and the modified orders issued in Rc.No. H3/35144/2004, dt. 27-8-2004 as illegal, arbitrary and violative of principles of natural justice and violative of Art. 14, 16 and 21 of the Constitution of India and consequently setaside orders issued by the respondent in Rc.No. H3/35144/2004, dt. 7-8-2004 and the modified orders issued in Rc.No. H3/35144/2004, dt. 27-8-2004

Counsel for the Petitioner:MR.N.GURU GOPAL

Counsel for the Respondent No.: GP FOR ENDOWMENTS

The Court made the following :

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ORDER:

This Writ Petition is filed challenging the transfer order issued against the petitioners in R.C.No. H3/35144/04 dated 7.8.2004 and the modified orders issued in R.C.No. H3/35144/2004 dated 27.8.2004 as illegal and arbitrary.

According to the petitioners, the order-dated 7.8.2004 was issued transferring the petitioners and thereafter, within twenty days, the second order-dated 27.8.2004 was passed modifying the transfer order. It is not the case of the petitioners that the order dated 7.8.2004 was given effect to. Before it was given effect to, the second order dated 27.8.2004 in respect of the petitioners was modified and issued. Generally speaking, in transfer orders, this court will not interfere unless the jurisdiction of the authority is under challenge or some malafide is attributed or some illegality on the face of the record is shown. None of these grounds have been urged before this court except stating that before the first order could be implemented, the second order was passed on the influence of some third parties. Even before implementing the first order, the second order was issued. The petitioners cannot claim anything under the first order. The second order of transfer cannot be said to be illegal or arbitrary. No ground is made out to interfere with the order of transfer.

Accordingly, the Writ Petition is dismissed. No costs.

C.V. RAMULU,J

Dated: 03.12.2004

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To

1. Commissioner , Endowments Department, Boggulakunta, Tilak Road, Abids, Hyderabad.

2. 2 CCs to G.P for Endowments, High Court of A.P. Buildings, Hyderabad, (OUT)

2. 2 CD copies.